

Citation/Title

8 AAC 15.908, Determining the salary of exempt employees.

*13212 8 AAC 15.908

ALASKA ADMINISTRATIVE CODE
 TITLE 8. LABOR AND WORKFORCE DEVELOPMENT
 PART 1. INDUSTRIAL WELFARE
 CHAPTER 15. ALASKA WAGES AND HOURS
 ARTICLE 6. GENERAL PROVISIONS

Current through Register 177 (April 2006)

8 AAC 15.908. Determining the salary of exempt employees.

(a) Subject to the exceptions specified in 29 C.F.R. Parts 541.118(a)(1) - (6), hereby adopted by reference, an exempt employee must receive the full salary for any week in which the employee performs any work regardless of the number of days or hours worked, except as provided in (c) of this section.

(b) Failure to pay the full salary in the initial or terminal week of employment is not considered inconsistent with the salary basis of payment. In those weeks the payment of a proportionate part of the employee's salary for the time actually worked meets the requirement. However, this is not to be construed to mean that an employee is on a salary basis if the employee is employed occasionally for a few days and is paid a proportionate part of the weekly salary when employed. In addition, payment of the full weekly salary under those circumstances would not meet the requirements, since casual or occasional employment for a few days at a time is inconsistent with employment on a salary basis within the meaning of this section.

(c) Exempt administrative, executive, or professional employees may be compensated on a daily rate if they receive at least \$300 per day and that, subject to the provisions of this section, the employee receives the full daily salary for any day in which any hours are worked regardless of the number of hours worked.

(d) Except as provided in 29 C.F.R. 541.118(a)(1) - (6), determining an exempt employee's salary is subject to the general rule that an employee does not need to be compensated for any week in which no work is performed or for any day in which no work was performed.

(Eff. 4/29/99, Register 150)

AUTHORITY: AS 23.05.060, AS 23.10.085

<General Materials (GM) - References, Annotations, or Tables>

NOTES

EDITORS NOTES.

Copies of the federal regulations cited in 8 AAC 15.908 may be obtained from the department's wage and hour administration office in Anchorage at 3301 Eagle Street, Suite 301, or by writing or telephoning the office at Department of Labor and Workforce Development, P.O. Box 107021, Anchorage, Alaska 99510-7021; phone: (907) 269-4900. As of Register 151 (October 1999), the regulations attorney made technical revisions under AS 44.62.125(b)(6)

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Salary
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 Pay
 Rate

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to reflect the name change of the Department of Labor to the Department of Labor and Workforce Development made by ch. 58, SLA 1999 and the corresponding title change of the commissioner of labor.

AK-ADMIN-CODE - 8 AAC 15.908, Determining the salary of exempt employees.

----- Excerpt from page 13212 follows -----

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